

Message Text

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ACTION AF-08

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FM AMEMBASSY LAGOS

TO SECSTATE WASHDC PRIORITY 4916

INFO AMCONSUL IBADAN

AMCONSUL KADUNA

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E.O. 11652: N/A

TAGS: PFOR, CVIS, NI

SUBJECT: INS TREATMENT OF NIGERIANS IN U.S.

REF: (A) STATE 118135 (B) STATE 118136 (C) LAGOS 5571

1. COUNSELORS FOR CONSULAR AND POLITICAL AFFAIRS MET WITH AMBASSADOR L. A. FABUNMI, DIRECTOR MEA'S LEGAL AND CONSULAR DEPARTMENT, MAY 14 AS REQUESTED. FABUNMI, WHO DURING FORTY MINUTE MEETING RELATED SOME DISAGREEABLE PERSONAL EXPERIENCES HE HAD HAD WITH INS OFFICERS IN THE 1950'S DURING HIS DAYS AS STUDENT IN U.S., MADE ESSENTIALLY SAME POINTS AS NIGERIAN EMBASSY OFFICIALS MADE TO DEPARTMENT (REFTEL A). HIGHLIGHTS HIS PRESENTATION:

(A) NIGERIAN EMBASSY IN WASHINGTON HAS REPORTED AN INCREASING NUMBER OF COMPLAINTS FROM NIGERIAN STUDENTS THROUGHOUT THE U.S. ALLEGING INS HARRASSMENT AND HAD RECOMMENDED TO MEA THAT MATTER BE DISCUSSED WITH USG OFFICIALS AT ""POLITICAL LEVEL." EMBASSY ALLEGES THAT INS ACTIVITY IS DIRECTED AT "AFRICANS IN GENERAL ND NIGERIANS IN PARTICULAR."

(B) FMG IS NOT ASKING THAT USG BEND ITS LAWS. NEITHER NIGERIAN EMBASSY NOR MEA HOLD BRIEF FOR THOSE NIGERIANS WHO ARE IN U.S. ILLEGALLY (E.G.)THOSE WHO COME ON THREE MONTH TOURIST VISAS BUT REMAIN FOR THREE YEARS WITHOUT ADJUSTING STATUS). FMG IS INTER-
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CEDING ON BEHALF OF THOSE STUDENTS WHO ARE IN U.S. LEGALLY, WHO

ARE MAKING GOOD GRADES AND MANY OF WHOM ARE WITHIN A YEAR OR TWO OF COMPLETING THEIR STUDIES. "HISTORICALLY". STUDENTS IN THE U.S. HAVE HELPED PAY THEIR EXPENSES BY WORKING AT "ODD JOBS."

(C) AMBASSADOR SANU IS REGARDED AS OBJECTIVE INDIVIDUAL WHO IS KNOWN TO BE A FRIEND OF U.S. IN FACT THERE ARE THOSE WHO BELIEVE HE SPEAKS MORE IN SUPPORT U.S. VIEW THAN HE DOES IN SUPPORT OF NIGERIAN NATIONAL INTEREST. THEREFORE, HIS REPORT ALLEGING HARRASSMENT OF NIGERIANS CARRIED CONSIDERABLE WEIGHT WITH FMG.

(D) IT WILL TAKE A "GREAT DEAL OF WORK" ON PART UGSG TO ERASE IMPRESSION THAT NIGERIANS HAVE BEEN SINGLED OUT FOR PARTICULAR ATTENTION BY INS.

(E) MEA ASKED EMBASSY TO REQUEST DEPARTMENT INTERCEDE WITH INS TO BRING ABOUT AN END TO THE ALLEGED HARRASSMENT OF NIGERIANS.

2. IN RESPONSE, EMBOFFS ASSURED FABUNMI THAT THERE NO RPT NO CAMPAIGN BY INS TO HARRASS NIGERIANS OR AFRICANS. THEY STRESSED THAT INS ONLY CARRYING OUT U.S. LAW AND POINTEDLY EMPHASIZED THAT WITHOUT INS PERMISSION FOREIGN STUDENTS IN U.S. NOT ALLOWED WORK DESPITE FACT THAT MANY AMERICANS DO WORK THEIR WAY THROUGH COLLEGE.

EMBOFFS COMPARED INS ACTION AND U.S. LAW WITH STRICT NIGERIAN REGULATIONS GOVERNING CONDITIONS UNDER WHICH FOREIGNERS MAY ACCEPT EMPLOYMENT IN NIGERIA. THEY ALSO POINTED OUT THAT LARGE NUMBER NIGERIANS IN U.S. (10,000) MEANT THAT THERE WOULD BE A PROPORTIONATELY LARGE NUMBER OF PROBLEMS INVOLVING NIGERIANS. EMBOFFS AGREED TO INFORM DEPARTMENT OF FMG'S VIEWS IN THIS MATTER.

3. COMMENTC MEETING WAS CORDIAL. POSSIBLE CONNECTION BETWEEN ALLEGED INS HARRASSMENT NIGERIAN STUDENTS AND RECENT U.S.-NIGERIAN POLITICAL DIFFERENCES ALLUDED TO ONLY BRIEFLY. IT WAS CLEAR FROM FABUNMI'S PRESENTATION, HOWEVER, THAT THERE IS SOME SUSPICION THAT INS ACTIVITY MAY BE DIRECTED PRIMARILY AT AFRICAN STUDENTS. IN ADDITION TO THESE CONSIDERATIONS AND THE FMG'S JUSTIFIABLE CONCERN FOR WELFARE OF ITS NATIONALS, NIGERIAN OFFICIALS IN U.S. CANNOT BE UNAWARE OF UNFAVORABLE PUBLICITY ABOUT THEIR EMBASSY'S TREATMENT OF NIGERIAN STUDENTS IN U.S. WHICH HAS APPEARED IN LOCAL PRESS FROM TIME TO TIME, NIGERIAN EMBASSY MAY WELL FEEL UNDER SOME PRESSURE TO LIMITED OFFICIAL USE

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APPROACH USG ON THIS MATTER IN ORDER TO BE ABLE DEFEND ITSELF AGAINST CHARGES OF INDIFFERENCE TO STUDENTS' SITUATION. WHATEVER THE ACTUAL COMBINATION OF REASONS FOR THE NIGERIAN DEMARCHÉ, WE BELIEVE WE SHOULD ATTEMPT END THIS POTENTIALLY NASTY DIALOGUE AS SOON AND AS FIRMLY AS POSSIBLE.

4. RECOMMENDATION: THAT DEPARTMENT CALL IN AMBASSADOR SANU (WHO ACCORDING TO FABUNMI WROTE THE REPORT TO MEA) AND INFORM HIM THAT

INS IS ENFORCING U.S. LAW WITH RESPECT TO ANY FOREIGN STUDENTS WHO ARE

FOUND TO BE ILLEGALLY WORKING IN THE U.S. GIVE HIM CATEGORIA
ASSURANCES THAT THERE IS NO CONNECTION WHATSOEVER BETWEEN INS
ACTIVITIES AND ANY PAST DIFFERENCES IN U.S.-NIGERIAN POLICY. DEPARTM
ENT

MIGHT POINT OUT THAT THE NUMBER OF STUDENT VISAS ISSUED
ANNUALLY BY LAGOS HAS MORE THAN DOUBLED IN PAST TWO YEARS AND THAT
WE HOPE MORE NIGERIANS WILL FIND IT POSSIBLE TO STUDY IN U.S., ADD-
ING THAT AS IS CASE WITH VISITORS TO NIGERIA, FOREIGN STUDENTS
IN U.S. MUST ABIDE BY TERMS OF THE VISA UNDER WHICH THEY GAINED
ENTRY TO THE U.S. DEPARTMENT MIGHT CONSIDER SUGGESTING HOLDING JOINT
U.S.-NIGERIAN DISCUSSIONS TO EXAMINE THE PROBLEMS OF NIGERIAN
STUDENTS STUDYING IN THE U.S. AND RECOMMEND WAYS IN WHICH
SITUATION MIGHT BE IMPROVED AND PROBLEMS AVOIDED. SUCH
DISCUSSIONS COULD LOOK INTO WAYS TO IMPROVE MEANS OF EVALUATING
FINANCIAL AND OTHER QUALIFICATIONS OF PRIVATE STUDENT VISA APPLICANTS

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